

REMARKS

This amendment is responsive to the Office Action of November 22, 2005.
Reexamination and reconsideration of the application are respectfully requested.

The Office Action

The Title of the application stands objected to by the Examiner.

Claims 1, 3, 4, 6, 10, 14, 15, 18, 19, 21, 25, and 28 stand rejected under 35 USC §102(b) as being anticipated by Abe (US Patent No. 5,056,023).

Claims 2, 5, 12, 20, 23, and 24 stand rejected under 35 USC §103(a) as being unpatentable over Abe.

Claims 7 and 11 stand rejected under 35 USC §103(a) as being unpatentable over Abe in view of Tinsley et al. (US Patent No. 6,343,617).

Claims 8, 13, 22, and 26 stand rejected under 35 USC §103(a) as being unpatentable over Abe in view of Hutchinson (US Patent No. 6,750,787).

Claim 27 stands rejected under 35 USC §103(a) as being unpatentable over Abe in view of Tinsley et al. and in view of Hutchinson.

Claims 16 and 29 stand rejected under 35 USC §103(a) as being unpatentable over Abe in view of Fiske et al. (US Patent No. 5,644,491).

Title of the Application

The title has been amended to overcome the Examiner's objection.

The Claims of the Present Application Distinguish Over the Cited References

Claim 1 recites a microcontroller receiving and interpreting a standard diagnostic message.

Abe discloses a diagnosis unit **25** including a controller **28**. The controller **28** includes a ROM **41**, which stores a diagnosis program for ECUs **501–504** on an associated vehicle. Since the ECUs **501–504** have different diagnosis programs according to vehicle types, the diagnosis program on the ROM **41** is intended to accommodate the ECUs **501–504** on a specific vehicle. See col. 4, lines 24–28 of Abe. Because the controller **28** is only capable of communicating with the ECUs **501–504** via the ROM **41**, which is only capable of communicating with ECUs **501–504** on a specific vehicle, the controller **28** does not receive and interpret a standard diagnostic message. Therefore, Abe fails to disclose, and is not concerned with, a microcontroller receiving and interpreting a standard diagnostic message, as recited in **claim 1**. Consequently, **claim 1** and **claims 2–9**, which depend therefrom, are patentable over Abe.

Claim 10 recites means for receiving and interpreting a standard diagnostic message. As discussed above, Abe fails to disclose, and is not concerned with, a means for receiving a standard diagnostic message, as recited in **claim 10**. Therefore, **claim 10** and **claims 11–17**, which depend therefrom, are patentable over Abe.

Claim 18 recites a remote diagnostic unit including a microcontroller receiving and interpreting a standard diagnostic message. As discussed above, Abe fails to disclose, and is not concerned with, a microcontroller receiving and interpreting a standard diagnostic message, as recited in **claim 18**. Therefore, **claim 18** and **claims 19–24**, which depend therefrom, are patentable over Abe.

Claim 25 recites transmitting a signal, indicating a standard message, from an electronic control unit. The claim also recites receiving the signal into a remote

diagnostic unit and interpreting the signal as the standard message within the remote diagnostic unit. As discussed above, Abe fails to disclose, and is not concerned with, receiving a signal into a remote diagnostic unit and interpreting the signal as the standard message, as recited in **claim 25**. Therefore, **claim 25** and **claims 26–29**, which depend therefrom, are patentable over Abe.

Tinsley et al. (Tinsley) also fails to disclose, and is not concerned with, a microcontroller receiving and interpreting a standard diagnostic message, as recited in **claim 1**. Consequently, **claim 1** and **claims 2–9**, which depend therefrom, are patentable over the combination of Abe and Tinsley. In addition, Tinsley fails to disclose, and is not concerned with, a means for receiving a standard diagnostic message, as recited in **claim 10**. Therefore, **claim 10** and **claims 11–17**, which depend therefrom, are patentable over the combination of Abe and Tinsley.

Hutchinson also fails to disclose, and is not concerned with, a microcontroller receiving and interpreting a standard diagnostic message, as recited in **claim 1**. Consequently, **claim 1** and **claims 2–9**, which depend therefrom, are patentable over the combination of Abe and Hutchinson. In addition, Hutchinson fails to disclose, and is not concerned with, a means for receiving a standard diagnostic message, as recited in **claim 10**. Therefore, **claim 10** and **claims 11–17**, which depend therefrom, are patentable over the combination of Abe and Hutchinson. Similarly, Hutchinson fails to disclose, and is not concerned with, a microcontroller receiving and interpreting a standard diagnostic message, as recited in **claim 18**. Therefore, **claim 18** and **claims 19–24**, which depend therefrom, are patentable over the combination of Abe and Hutchinson. Furthermore, Hutchinson fails to disclose, and is not concerned with, receiving a signal into a remote diagnostic unit and interpreting the signal as the standard message, as recited in **claim 25**. Therefore, **claim 25** and **claims 26–29**, which depend therefrom, are patentable over the combination of Abe and Hutchinson.

Neither Tinsley nor Hutchinson discloses, or is concerned with, receiving a signal into a remote diagnostic unit and interpreting the signal as the standard message, as recited in **claim 25**. Therefore, **claim 25** and **claims 26–29**, which depend therefrom, are patentable over the combination of Abe, Tinsley, and Hutchinson.

Fiske et al. (Fiske) fails to disclose , and is not concerned with, a means for receiving a standard diagnostic message, as recited in **claim 10**. Therefore, **claim 10** and **claims 11–17**, which depend therefrom, are patentable over the combination of Abe and Fiske. Similarly, Fiske fails to disclose, and is not concerned with, receiving a signal into a remote diagnostic unit and interpreting the signal as the standard message, as recited in **claim 25**. Therefore, **claim 25** and **claims 26–29**, which depend therefrom, are patentable over the combination of Abe and Fiske.

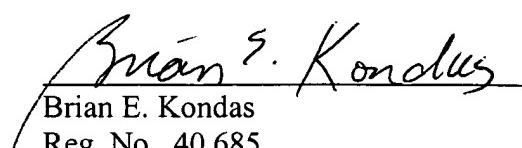
CONCLUSION

For the foregoing reasons, it is submitted that the claims of the present application are in condition for allowance. Early notice thereof is respectfully requested.

Should the Commissioner decide that any fee or fee deficiency is due, the Commissioner is hereby authorized to charge any and all such other fees incurred as a result of entering this amendment and response to deposit account number 03-0172.

Respectfully submitted,

CALFEE, HALTER & GRISWOLD LLP


Brian E. Kondas
Reg. No. 40,685
Customer No. 24024
(216) 622-8308